

ATTORNEY'S DOCKET NUMBER: 2005577-0009
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Li, et al. Examiner: Barbara A. Campbell
Serial No.: 10/592,912 Art Unit: Not yet assigned
Filing Date: September 15, 2006 Confirmation No: 5719
Title: **HERBAL THERAPY FOR THE TREATMENT OF ASTHMA**

Mail Stop:
Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF EXPRESS MAILING

Express Mail" mailing label number: **EV 056933578 US**
Date of Deposit: **July 3, 2007**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "*Express Mail Post Office to Addressee*" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature
Marilyn Murphy

Printed Name

TRANSMITTAL LETTER

Enclosed for filing in the above-referenced patent application, please find the following documents:

- 1) Copy of Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (3 pages);
- 2) Response to Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (1 page);
- 3) Executed Declaration (4 pages);
- 4) Credit Card Payment Form authorizing payment of Declaration surcharge fee in the amount of \$115.00 (small entity) (1 page);
- 5) Return receipt postcard.

Please charge any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,

Dated: July 3, 2007

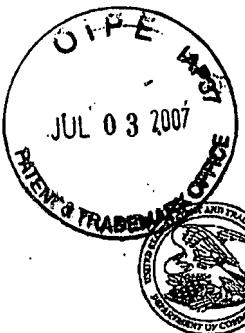
PATENT DEPARTMENT
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Brenda H. Jarrell, Ph.D.
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50-52-2641

01 FC:2641
02 52 8617

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65.00 OP



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PCT/US

Page 1 of 3

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

BIFMARKS

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/592,912	Xiu-Min Li	2005577-0009

24280
 CHOATE, HALL & STEWART LLP
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 BOSTON, MA 02110

Pls add MP
 Due 13/07
 Final 13/07

INTERNATIONAL APPLICATION NO.	
PCT/US05/08600	

I.A. FILING DATE	PRIORITY DATE
03/14/2005	03/19/2004

CONFIRMATION NO. 5719

371 FORMALITIES LETTER



OC000000023656489

Date Mailed: 05/03/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

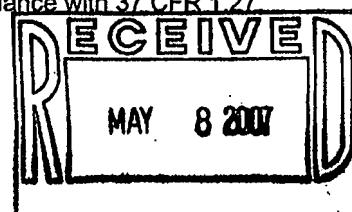
- Indication of Small Entity Status
- Copy of the International Application filed on 09/15/2006
- Copy of the International Search Report filed on 09/15/2006
- Copy of IPE Report filed on 09/15/2006
- Preliminary Amendments filed on 09/15/2006
- U.S. Basic National Fees filed on 09/15/2006
- Priority Documents filed on 09/15/2006
- Specification filed on 09/15/2006
- Claims filed on 09/15/2006
- Abstracts filed on 09/15/2006
- Drawings filed on 09/15/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27 must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:



Total additional fees required for this application is \$115 for a Small Entity:

- \$65 Surcharge.
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- The application search fee has not been paid. Applicant must submit \$50 to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/592,912	PCT/US05/08600	2005577-0009

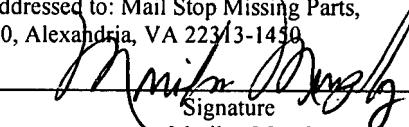
FORM PCT/DO/EO/905 (371 Formalities Notice)

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 _____ Signature _____ Marilyn Murphy Printed Name	

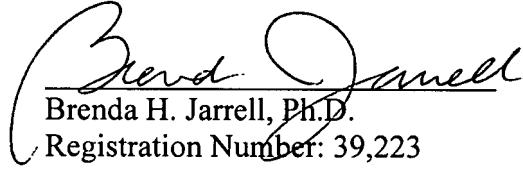
**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) received from the U.S. Patent and Trademark Office dated May 3, 2007 regarding the above-referenced application, Applicant submits the following documents:

- 1) Copy of Notification Of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (3 pages);
- 2) Executed Declaration (4 pages);
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- 4) Return receipt postcard.

Respectfully submitted,

Dated: July 3, 2007



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